

**UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF TEXAS
SAN ANTONIO DIVISION**

GILBERT GODINEZ
Plaintiff,

V.

**TRIMAC TRANSPORTATION
CENTRAL, INC.**
Defendant.

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Civil No. 5:11-cv-00618-FB

JURY TRIAL DEMANDED

PLAINTIFF'S VOLUNTARY MOTION OF DISMISSAL WITH PREJUDICE

COMES NOW, Gilbert Godinez, Plaintiff in the above-entitled and numbered cause, and states to the Court that he no longer desires to prosecute this case against Defendant, Trimac Transportation Central, Inc., in this forum. Accordingly, Plaintiff hereby moves the court pursuant to Fed. R. Civ. P. 41(a)(2) to dismiss this lawsuit in its entirety and as to all parties, with prejudice to the refiling of same, and with costs of court to be taxed against and paid by the party incurring same.

Respectfully submitted,

/s/ Glenn Levy

Glenn Levy

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ATTORNEY FOR PLAINTIFF

CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the foregoing was filed on this the ____th day of November, 2011 via the Court's CM/ECF system, which generates a service copy on all enrolled counsel of record.

Stephen J. Roppolo
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Houston, TX 77002

/s/Glenn Levy
Glenn Levy